

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9177 of 2022

Manoj Biswas

....

Petitioner

Mr. S. Panda, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. K.K. Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.09.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in Special (NDPS) Case No.33 of 2022, pending in the file of learned Addl. District and Sessions Judge-cum-Special Judge, Kantamal, arising out of Manamunda P.S. Case No.169 of 2022, offence under Section 20(b)(ii)(B) of NDPS Act and is in custody since 12.09.2022.
4. Being aggrieved by the rejection of their application for bail U/s.439 Cr.P.C. by the learned Addl. District and Sessions Judge, Kantamal by order dated 15.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. Perused the order of rejection.
6. Since the seizure of the contraband (ganja) to the tune of 8.200 kilograms is admittedly less than the commercial quantity as prescribed, this Court directs the Petitioner to be released on bail on such terms to be fixed by the Court in seisin over the matter.

7. While enlarging the Petitioner on bail, learned court below shall verify assertion regarding his criminal proclivity. If it comes to the fore that the Petitioner has any criminal antecedent this order shall stand recalled.
8. Accordingly, the BLAPL stands disposed of.
9. Urgent certified copy of this order be granted as per rule.

(V. NARASINGH)
Judge

Santoshi

